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2401

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

VINCENZO MAZZAMUTO,
Plaintiff,

CIVIL ACTION
NO. 1:CV-01-1157

v.

UNUM PROVIDENT
CORPORATION, et al.,
Defendants

JUDGE CONNER

FILED
HARRISBURG, PA

APR 17 2003

MARY E. D'ANDREA, CLERK
Per
Deputy Clerk

DEFENDANTS' MOTION FOR LEAVE TO FILE SUPPLEMENTAL
BRIEF IN OPPOSITION TO PLAINTIFF'S MOTIONS FOR LEAVE TO
AMEND THE COMPLAINT AND FOR RECONSIDERATION OF
SUMMARY JUDGMENT ORDER

Defendants, UNUM Provident Corporation, Paul Revere Life
Insurance Company and New York Life Insurance Company ("Defendants")
hereby move for leave to file a supplemental brief in opposition to (a) Plaintiff's
motion for leave to amend the complaint and (b) Plaintiff's motion for
reconsideration of the Court's summary judgment order.

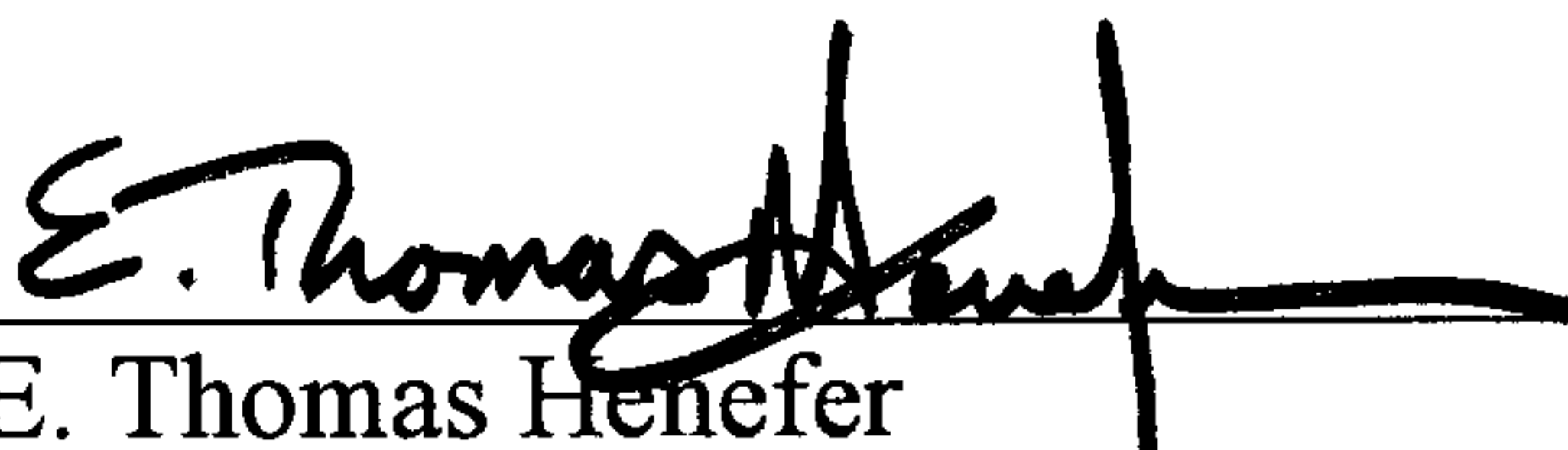
The purpose of the proposed supplemental brief is to address the
Supreme Court's recent decision in State Farm Mutual Automobile Ins. Co. v.
Campbell, 538 U.S. _____, 2003 U.S. LEXIS 2713, (2003), decided on April 7,
2003 after the briefing on the two motions was completed. As explained in the
accompanying memorandum of law, which is incorporated herein in its entirety,

the Campbell case provides further support for rejecting Plaintiff's efforts to expand the scope of this case beyond the facts relevant to his own claim.

WHEREFORE, for the reasons set forth above and in the accompanying Memorandum of Law in support of this motion, which is incorporated herein in its entirety, Defendants respectfully request that the Court grant their motion for leave to file a supplemental brief addressing the Campbell decision.


Dated: April 16, 2003

STEVENS & LEE

By 
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CERTIFICATE OF NON-CONCURRENCE

Pursuant to Local Rule 7.1 I, E. Thomas Henefer, certify that
opposing counsel does not concur in the foregoing motion.


E. Thomas Henefer

Date: April 16, 2003